

TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1201 SPR



Project Name: SALMON CREEK FRED MEYER PARKING
LOT

Case Number: PSR2009-00047 & SEP2009-00097

Location: 800 NE Tenney Road

Request: The applicant is proposing to modify the northern driveway access to the Salmon Creek Fred Meyer Shopping Center on NE 139th Street, and construct a new southern driveway access on NE Tenney Road to accommodate the construction of the proposed Salmon Creek Interchange.

Applicant: KPFF Consulting Engineers
Attn.: Timothy Shell
111 SW Fifth Avenue, Suite 2500
Portland, OR 97204-3628
(503) 542-3806, E-mail: tim.shell@kpffcivilpdx.com;
nick.mcmurtrey@kpffcivilpdx.com

Contact Person: (Same as Applicant)

Property Owner: Fred Meyer Stores
Attn.: Don Forest, Site Acquisition Manager
Real Estate & Store Development
P. O. Box 42121
Portland, OR 97242-0121

DECISION

Approve, subject to Conditions

DS Manager's Initials: MB **Date Issued:** February 10, 2010

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Development Services Manager:	Michael Butts	4137	Michael.Butts@clark.wa.gov
Planner:	Michael Uduk	4385	Michael.uduk@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Tom Grange P.E.	4102	Tom.Grange@clark.wa.gov
Engineer (Trans. & Stormwater):	David Bottamini, P. E.	4881	David.bottamini@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	Steve.schulte@clark.wa.gov
Engineer (Trans. Concurrency):	David Jardin	4354	David.jardin@clark.wa.gov
Fire Marshal Office	Tom Scott	3323	Tom.scott@clark.wa.gov

Comp Plan Designation: Community Commercial (C-3)

Parcel Number(s): Lots 28 (186525), 91 (186942), 5 (186858 and 75 (186926) located in a portion of the NE ¼ of Section 27, Township 3 North, Range 1 East, of the Willamette Meridian.

Applicable Laws:

Clark County Code (CCC) Chapter: 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 40.610 (Impact Fees), 40.230 (C-3), 40.520.040 (Site Plan Review), 40.320 (Landscaping and Screening), 40.430 (Parking Standards), 40.320 (Landscaping and Screening), 40.360 (Solid Waste), 40.570.080 (C) (3) (k) (Archaeology), 15.12 (Fire Code), 40.570 (SEPA), 40.510.030 (Procedure)

Neighborhood Association/Contact:

North Salmon Creek Neighborhood Association
Barbara Anderson, President
105 NE 150th Street
Vancouver, WA 98685
(360) 573-2240, E-mail: Barbara.anderson@msn.com

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on July 9, 2009. The pre-application was determined to be contingently vested as of June 10, 2009, (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on November 3, 2009, and determined to be fully complete on November 24, 2009. Given these facts the application is vested on June 10, 2009. There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on November 24, 2009. Therefore, the County Code requirement for issuing a decision within 78 days lapses on February 10, 2010. The State requirement for issuing a decision within 120 calendar days, lapses on March 24, 2010.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, North Salmon Creek Neighborhood Association and property owners within 300 feet of the site on December 8, 2009.

Public Comments:

None

Project Overview

The applicant is requesting a site plan review approval to modify the northern driveway access to Fred Meyer Shopping Center on NE 139th Street and to construct a new access driveway on NE Tenney Road. Washington State Department of Transportation (WSDOT) and Clark County Public Works Department (the county) are in the process of constructing the NE 139th Street Salmon Creek Interchange Project (SCIP). The project evaluation indicates that the construction of the interchange will potentially adversely impact vehicles entering into or exiting the Fred Meyer Store from both NE 139th Street and NE Tenney Road. To mitigate potential adverse impacts resulting from the interchange construction, and ensure an uninterrupted flow of traffic into and from the shopping center, Fred Meyers, in collaboration with the county's Public Works SCIP team, is undertaking to relocate its driveways on NE 139th Street by:

1. Closing 2 existing driveway entrances located on NE 139th Street and constructing one new driveway entrance on NE 139th Street; and,
2. Constructing a new driveway entrance on NE Tenney Road as shown in the attached site plan.

The approximately 14.8 acre site is zoned Community Commercial (C-3). A shopping center is an outright permitted use in the C-3 zoning district.

The following activities have either been approved or denied (without prejudice) on this site:

1. SPR95025 (Salmon Creek Fred Meyer Store) granted site plan approval for the construction of the shopping center.
2. PSR2000-00041 (Maiki Teriyaki at Fred Meyer), approved a tenant improvement request for a restaurant.
3. PSR2008-00022 (Fred Meyer Store) denied without prejudice the reconfiguration of the outdoors sales area, replacement of a canopy and the addition of a drive thru window for the pharmacy.
4. PSR2008-00041 (Fred Meyer Store) approved the reconfiguration of the outdoors sales area, replacement of a canopy and the addition of a drive thru window for the pharmacy.

A new site plan review is required per CCC 40.520.040 (A) (2) (d) (5) because the request involves relocating driveway accesses on NE 139th Street and constructing a new driveway access on NE Tenney Road.

The following table describes the comprehensive plan designation, zoning and the current land use on the site and on the abutting properties:

Table 1: Comp Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Community Commercial (CC)	C-3	A shopping center with a Fred Meyer Store as the anchor, Three Creek Library, a building with a mix of commercial uses, off street parking spaces and landscaping.
North	Urban Medium (UM) / Light Industrial (ML)	R-18/ ML	NE 139 th Street and residential housing developments and some commercial activities.
East	CC	C-3	NE 10 th Avenue and some commercial activities.
South	Urban Low (UL)	R1-7.5	NE Tenney Road and a residential housing development

West	UL/ML	R1-7.5/ML	Intersection of NE Tenney Road and NE 139 th Street, a residential housing development and some commercial activities
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The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils on the site as those of Gee silt loam (GeB) and Odne silt loam (OdB) on slopes ranging from zero to 8 percent. Odne silt is a hydric soil, indicative of the potential presence of wetlands, according to the Clark County Area Hydric Soils List. There are no jurisdictional wetlands, a 100-year flood plain or buffers mapped on the site by the County's GIS mapping system.

The property is located within the city of Vancouver urban growth area. It is situated in an area served by Park District 10, Fire Protection District 6, and the Vancouver School District. Clark Public Utilities (CPU) provides public water and Clark Regional Wastewater District provides sewer in the area.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1

The site is a fully developed shopping center, with Fred Meyer Store as the anchor. Staff finds that potential land use adverse impacts such as traffic, frontage road dedications and improvements, stormwater and erosion control, off-street parking, landscaping and screening, and so forth were identified and mitigated.

Staff finds as follows:

1. Landscaping and Screening:

The proposed access driveway constructions will result in the elimination of some landscaping trees and vegetation at the shopping center's frontage on both NE 139th Street and NE Tenney Road. The applicant has submitted a proposed landscaping plan, which is adopted in the report as Exhibit 2B. Staff finds that when the proposed landscaping plan is implemented, it will meet the minimum standard in the applicable sections of the code. Staff finds further that the proposed plan will complement the existing landscaping on the site and the abutting streets without detracting from the character of the area.

The plan shows the proposed landscape at the new driveway entrances on NE 139th Street on the north, and NE Tenney Road on the southwest sides of the shopping center. The proposed landscape plan is adequate; therefore, no new condition of approval is necessary.

2. Off-Street Parking:

The off-street parking approved in the original decision and constructed at the shopping center is 750 spaces. The total floor area of the 3 buildings in the shopping center is 176,672 square feet. The minimum off-street parking required based on a ratio of 1 parking space per 350 square feet of building floor area is 505 off-street parking spaces (rounded up). Staff finds that the applicant provided 245 (or 48.51 percent) more off-street parking spaces than the code required.

The proposed driveway access construction will result in the elimination of 19 existing off-street parking spaces, which will result in a reduction of the parking at the shopping center from 750 to 731 parking spaces. The excess off-street parking will also be reduced from 245 to 226 (or 44.75 percent) of the available parking at the shopping center.

Based on the above, staff concludes that even though the off-street parking at the shopping center will be reduce after the construction work is completed, the available off-street parking will meet (or exceed) the minimum standard in the applicable section of the code. Therefore, no new condition of approval is required.

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

The applicant has submitted an archaeological pre-determination to the State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

The DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (See Condition A-1a)

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to condition identified above, meets the archaeology requirements of the Clark County Code.

TRANSPORTATION:

Access Management

Finding 1

The applicant has proposed a right-in and right-out access to NE Tenney Road. NE Tenney Road, an "Urban Minor Arterial", has a posted speed limit of 40 mph. The associated required minimum driveway spacing is 185 feet which has been satisfied per table CCC 40.350.030-7. Per CCC 40.350.030(B)(d)(1)(d), where an intersection is signalized, driveways shall be limited to right-turn movements if located within 250 feet on minor and principal arterials. The driveway approach is within 250 feet of a signalized intersection, however, the right-in and right-out approach results in code compliance.

The applicant has proposed a new driveway approach to NE 139th Street which is intended to replace two existing driveway approaches. It is proposed that two existing driveway approaches will be closed off and the new approach will be located between the locations of the existing driveway approaches. NE 139th Street is to be improved as part of the proposed Salmon Creek Interchange Project and the associated construction of the project is scheduled to begin this year. As part of the improvements that will be made to NE 139th Street, a median will be placed in the roadway which will not allow left turn movements from the driveway approach onto NE 139th Street.

The proposed driveway approaches shall be consistent with standard drawing number F16 or F17. The applicant shall verify that the proposed driveway approaches provide for sufficient turning movements by submitting diagrams of the turning movements associated with a single unit truck. (See Condition C-1)

Sight Distance Analysis

Finding 2

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements.

The applicant submitted a sight distance analysis dated October 15th, 2007 which does not make a definitive determination as to whether or not an existing bus stop on NE Tenney Rd. impedes required sight distance. Another submitted analysis indicates sight distance has been satisfied. The applicant shall determine if the bus stop does or does not impede sight distance. If it does obstruct the sight distance, the bus stop shall be moved in order to comply with CCC 40.350.030(B)(8). Additionally, sight distance analysis shall be provided for the proposed driveway approach from NE 139th Street. (See Condition C-2)

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

TRANSPORTATION CONCURRENCY:

None

STORMWATER:

Stormwater Applicability:

Finding 1

The provisions of Clark County Code Chapter 40.385 shall apply to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC 40.385 and the county's stormwater manual. Meeting the requirements of this chapter is the joint and severable responsibility of both the owner(s) of the site on which land-disturbing activity occurs and the person(s) undertaking such activity. In addition, if the land-disturbing activity involves a county-issued permit, the applicant is also responsible for meeting the requirements of this chapter. The project proposes 2,000 square feet or more, but less than 5,000 of new plus replaced impervious surfaces and, therefore, the applicant shall comply with Minimum Requirements 1 through 5 for the new plus replaced impervious surfaces per CCC 40.385.020(A)(4)(b).

Stormwater Proposal:

Finding 2

The applicant proposes to replace the existing swale near the proposed NE Tenny Road approach with a rain garden. It will be bisected into two sub-basins that will be connected via a culvert. An existing swale adjacent to NE 139th Street will be divided into two swales.

A full final stormwater review will not be required; however, the stormwater proposal shall be reviewed under a special drainage project application. (See Condition A-3a)

The owner of parcel #186858-000 has submitted a letter dated February 9, 2010 indicating the desire to allow for an easement to be recorded that will allow a rain garden be placed on the neighboring parcel. In addition, an e-mail dated October 13, 2009 states the desire to record an easement for the driveway approach onto NE Tenney Road through parcel #186858-000. (See Exhibit 9 and Condition B-4)

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the condition above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance (The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);**
- **MDNS = Mitigated Determination of Non-Significance (The impacts can be addressed through conditions of approval); or,**
- **DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).**

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on December 8, 2009, is hereby final.

SEPA APPEAL PROCESS:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner is final unless there is:

- A motion if filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 251.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Michael Uduk, (360) 397-2375, ext. 4385
Michael Butts, (360) 397-2375, ext. 4137

Responsible Official: Michael V. Butts, Development Services Manager

DECISION

Based upon the proposed plan (identified as Exhibit 2), and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request subject to the following conditions of approval:

CONDITIONS OF APPROVAL

A Final Construction/Site Plan Review

Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Site Plan:

The applicant shall submit and obtain County approval of a final site plan in conformance to CCC 40.320.040 and the following conditions of approval:

a. Archaeology

A note shall be placed on the face of the final construction plans as follows:

"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

A-2 Transportation:

a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.

b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-3 Special Drainage Project:

The applicant shall submit and obtain County approval of a special drainage project designed in conformance to CCC 40.385 and the following conditions of approval:

a. A special drainage project application shall be submitted for review and approval.

A-4 Erosion Control Plan:

The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.385.

A-5 Final Landscape Plan:

The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (ref: CCC 40.320). The landscape plan shall include landscaping within the public Rights-of-Way and on-site as proposed.

(See Exhibit 2b attached)

A-6 Other Documents Required:

The following documents shall be submitted with the Final Construction/Site Plan:

- a. Stormwater Maintenance Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.

A-7 Excavation and Grading:

Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference:

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County

B-2 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control:

Erosion control facilities shall not be removed without County approval.

B-4 Off-site Easements:

Easements shall be recorded for the purpose of locating a proposed driveway approach and rain garden on neighboring parcel #186858-000.

C Provisional Acceptance of Development

Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

Transportation:

C-1 The proposed driveway approaches shall be consistent with standard drawing number F16 or F17. The applicant shall verify that the proposed driveway approaches provide for sufficient turning movements by submitting diagrams of the turning movements associated with a single unit truck. (See Transportation Finding #1)

C-2 The applicant shall determine if the bus stop does or does not impede sight distance. If it does, the bus stop shall be moved in order to comply with CCC 40.350.030(B)(8). Additionally, sight distance analysis shall be provided for the proposed driveway approach from NE 139th Street. (See Transportation Finding #2)

C-4 Verification of the Installation of Required Right-of-way Landscape:

Prior to the issuance of an approval of occupancy for a site plan, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required right-of-way landscape has been installed in accordance with the approved landscape plan(s). (See Exhibit 2b attached)

D Final Plat Review & Recording

Review & Approval Authority: Development Engineering

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Not Applicable

E Building Permits

Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 None

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas:

- a. Landscaping: Prior to the issuance of an approval of occupancy for final site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 Site Plans and Other Land Use Approvals:

Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater:

A permit from the Department of Ecology (DOE) is required If:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND,**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 Outdoor Lighting:

Exterior lighting shall be located, shielded, and directed to prevent significant off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process:

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on February 10, 2010. Therefore, any appeal must be received in this office by February 24, 2010.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee of **\$5,240** (Planning = \$4,826 + Engineering = \$414).

An appeal of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Commissioners.

Attachments:

- Copy of the Proposed Preliminary Plan
- Copy of the Proposed Landscaping Plan

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

For Staff Only:

Final Plans Required with Construction Plans	YES	NO
Final Site Plan	x	
Final Landscape Plan:	x	
-On-site landscape plan		x
-Right-of-way landscape plan*	x	
Final Wetland Plan		x
Final Habitat Plan		x

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

NOT TO SCALE



NOTE: TOTAL PROPERTY AREA = 14.99 ACRES
TOTAL DISTURBED AREA = 0.99 ACRES

PROJECT CONTACTS

DOWNER:	OWNER: COMPANY - FRED MEYER
NAME:	SA LUTHER PROJECT
CONTACT:	FRED MEYER, REAL ESTATE & STORE DEVELOPMENT
ADDRESS:	10000 13TH AVE. S.W.
PHONE:	PORTLAND, OREGON 97224-0771
FAX:	503-533-0387
E-MAIL:	503-770-2730
	SA.LUTHER@FREDMEYER.COM
APPLICANT:	NAME: KFF CONSULTING ENGINEERS
Civil Engineer:	CONTACT: KYLE KENNEDY
Contract:	1100 S.W. 33rd AVENUE, SUITE 2500
	PORTLAND, OREGON 97204
	PHONE: 503-227-3281
	FAX: 503-227-3281
	E-MAIL: TALKS@KFFENGINEERS.COM

SHEET NOTES

1. SURVEY PROVIDED BY CLARK COUNTY PUBLIC WORKS AND IS NOT GUARANTEED TO BE ACCURATE. PROPERTY LINES SHOWN HAVE NOT BEEN VERIFIED BY OFFICE.
2. EXISTING EASEMENTS NOT SHOWN. REFERENCE "SALMON CREEK - VANCOUVER, WA TITLE REVIEW - CLARK COUNTY TITLE DATED 10/10/2008, ORDER NO.: 1864525-000 SECOND REPORT", PREPARED BY THE CORPORATE LAW DEPARTMENT OF FRED MATOR FOR MORE INFORMATION.
3. THE SURFACE MATERIAL OF ALL ROADWAYS ADJACENT THE SITE IS ASPHALTIC CONCRETE PAVEMENT.



RAISE CONSTRUCTION — APPROX. 8,800 SQ. FT.

